

Student Disciplinary procedure

TYPE: Procedure

PURPOSE: To ensure that good standards of behaviour are upheld. To be used when The College Code of Conduct is broken and supportive action has been exhausted. It includes guidelines for dealing with cases of gross misconduct and clarification of suspension.

SCOPE: This procedure applies to learners.

RESPONSIBILITY:

LEGAL CONTEXT: N/A

Student Disciplinary Procedure

The following procedure will be used when The College Code of Conduct is broken. It includes guidelines for dealing with cases of gross misconduct and clarification of suspension.

Purpose

The purpose of the Disciplinary Procedure is to ensure that good standards of behaviour are upheld. Formal disciplinary action should be seen as the last resort when other supportive action has been exhausted or when an offence is serious enough to necessitate immediate, formal action.

In using this procedure we will aim to ensure fair and equal treatment.

Representation

Students are entitled to representation at stages 2, 3 and 4 of the disciplinary procedure. Students should be informed of this right by the person initiating the disciplinary action. Representation can be a student representative, parents/guardian or other. Parents/Guardians are expected to attend disciplinary meetings from stage 2 for students under 18. In the event of an non-attendance

without prior notification at stages 2 and 3 the meeting will be conducted in their absence. The outcome of the meeting will be communciated via letter.

Records

All recorded upheld disciplinary action will remain on the student's file for 3 years unless the nature of the misconduct warrants a shorter period. If the allegation is not upheld this will be recorded. At no time will the disciplinary record of the student be divulged externally without prior written consent of the Principal.

The Six Week Probationary Period

For full-time FE students the first 6 weeks of the course is a probationary period. During this period if a student's progress, attendance or behaviour is of serious concern, the Head of School, Assistant Principal and Director of Operations reserve the right to withdraw the student. Any decision to withdraw will follow a documented meeting with the student and notification to parents. Students wishing to appeal the withdrawal decision must do so in writing to the Assistant Principal within 5 working days. If the withdrawal decision was made by an Assistant Principal then appeals must go to the Vice Principal HR and Student Services within 5 working days.

Informal Procedure

Every effort will be made to avoid the use of formal disciplinary action where problems can be remedied informally. All staff carry the responsibility for the informal disciplining of students and for ensuring that misconduct or poor academic performance on the part of students is consistently dealt with in accordance with this policy.

Cause for Concern (CFC)

A CFC can be issued to address first time or minor incidents of classroom management issues or behavior concerns within College. The issue should be discussed with the student and logged by the person issuing it on ProMonitor within 24 hours. Actions to be monitored by the person issuing the CFC.

Where informal measures prove insufficient to establish a satisfactory standard of conduct, a Cause for Concern may be given. If there is no improvement then four formal disciplinary stages may be invoked and may include the possibility of fixed period or permanent exclusion from the College.

Where breaches of discipline occur such as a failure to comply with the Code of Conduct or any incident of academic misconduct, the following procedure will be used.

Stages of the Disciplinary Procedure

Please note - any disciplinary action, including CFC's must be logged electronically on the Student Database.

In all cases staff should ensure they are aware of any learning difficulty or disability which may affect the student and seek advice and support from the Additional Needs team as appropriate and always before implementing formal action.

Students can be placed on any stage of disciplinary without having undergone the previous stage, the principle here being that the level of disciplinary action is determined by the alleged misconduct (see appendix 1 for guidance).

Procedures

Stage 1

A stage 1 meeting will be used to formally discipline a student when informal approaches by staff and CFCs have either not affected the required change in

student conduct or when they are deemed insufficient to affect the required change in student conduct. It can be implemented at the discretion of a personal tutor, or when directed by the relevant Course Leader, Programme Manager or Head of School.

- The Personal Tutor will conduct a one-to-one meeting with the student and discuss the problem with the student. Where relevant they will direct the student to support from Student Services and other support services within the college and encourage the student to use them.
- The Disciplinary Agreement Stage One is completed on Pro- Monitor and appropriate actions for the student to take outlined.
- The student will be issued with a report card to have completed and signed in all of their sessions for a minimum of two weeks.
- After two weeks on report, the student will return the report card to their personal tutor for inspection.
- A letter will be sent to Parents/guardians of students under 18 years of age by the assigned either a Student Support Officer or Learning Coach to inform them that this meeting has taken place.

Resolution of Problem – End of Process

No improvement – Progress to Stage 2

Stage 2

A stage 2 meeting will be used to formally discipline a student when the agreed actions from a stage 1 meeting are not met, or when a stage 1 meeting is deemed to be insufficient by the relevant Head of School or Programme Manager. First-time offences of deliberate plagiarism will be addressed in a stage 2 meeting.

- The Head of School or Programme Manager will conduct a meeting with the student in the presence of either a Student Support Officer or Learning Coach who will maintain a written account of the meeting.
- The Head of School/Programme Manager will outline the reason(s) for the meeting, how the student code of conduct has been broken and the consequences of any further breaches of the student code of conduct.

- The Head of School/Programme Manager will outline the actions that the student must take in order to resolve the issues raised.
- The Disciplinary Agreement Stage Two is completed on Pro- Monitor by the either a Student Support Officer or Learning Coach and the agreed actions recorded.
- Parents/guardians are expected to attend for students under 18 years of age. In exceptional circumstances, a suitable adult can attend on behalf of the parents/guardians if agreed by the Head of School/Programme Manager and the parents/guardians.
- Students over 18 years of age will be informed that they can request to be accompanied by a representative or friend at the discretion of the Head of School/Programme Manager.

Resolution of Problem – End of Process

No improvement – Progress to Stage 3

Stage 3

A stage 3 meeting will be used to formally discipline a student when the agreed actions from a stage 2 meeting are not met, or when Students actions are sufficient to warrant a Stage 3 or a stage 2 meeting is deemed to be insufficient by the relevant Head of School or Programme Manager. Alleged cases of Gross Misconduct or where withdrawal is likely will be heard in a stage 3 meeting chaired by a Senior Manager with the Head of School/Programme Manager present. All other stage 3 meetings can be chaired by a Senior Manager or the relevant Head of School.

- The chair will conduct a meeting with the student in the presence of either a Student Support Officer or Learning Coach who will maintain a written account of the meeting.
- The chair will outline the reason(s) for the meeting, how the student code of conduct has been broken and the consequences of any further breaches of the student code of conduct.

- The chair will outline the actions that the student must take in order to resolve the issues raised.
- The Disciplinary Agreement Stage Three is completed on Pro- Monitor by either a Student Support Officer or Learning Coach and the agreed actions recorded.
- Parents/guardians are expected to attend for students under 18 years of age. In exceptional circumstances, a suitable adult can attend on behalf of the parents/guardians if agreed by the Head of School/Programme Manager and the parents/guardians.
- Students over 18 years of age will be informed that they can request to be accompanied by a representative or friend at the discretion of the Head of School/Programme Manager.
- When chaired by a Senior Manager, a meeting arranged as stage 3 meeting can be converted into a stage 4 meeting at the discretion of the Senior Manager present.
- A record is placed on the college disciplinary file

Resolution of Problem – End of Process

No improvement – Progress to Stage 4

Stage 4

- Exclusion from college by Senior Manager
- The student is informed verbally and in writing of the outcome, and of the appeal procedure.
- Disciplinary Agreement Stage 4 completed on Pro-Monitor

Appeal

Students wishing to appeal must do so in writing to the Vice Principal HR and Student Services or the Director of Operations for Stratford upon Avon College within 10 working days.

All relevant information is passed to the Vice Principal HR & Student Services or the Director of Operations for Stratford upon Avon College who will review the

information and consider the appeal and if necessary may wish to meet with the student to consider the appeal. Parents/guardian of a student under 18 are informed and invited to attend. The student (if over 18) will be informed that he/she can be accompanied by a representative or friend. The student is informed verbally and/or in writing of the outcome

Cases of Gross Misconduct or Criminal Act

Gross misconduct is defined as behaviour which is so serious that it is prejudicial to the well being of other students in the college. In this definition we include acts of violence, acts of vandalism against property – including computer hacking – theft from college premises, incidents of racial or sexual abuse, any drug or alcohol abuse.

- 1 All students involved are suspended (i.e. excluded from college premises - refer to note of suspension) by a Senior Manager or Head of School while the incident is being investigated
- 2 The Student(s) is informed verbally at the time of the incident. The Notification of Suspension Form is completed. If it is necessary a letter follows from a Senior Manager within 2 working days advising the student of the procedure
- 3 The student(s) will attend an interview with a Senior Manager.
- 4 The student(s) will be notified of the outcome.

Clarification of Suspension

There are 3 ways in which suspension may be applied i) cooling off period ii) investigation and iii) disciplinary action. In every case it is very important that staff:

- a) Explain the grounds of suspension to students
- b) Tell students when they should return and to whom they should report
- c) Complete the Notification of Student Suspension

1. Cooling off period

- A cooling off period is used to:

- i) Provide a safeguard for people if necessary
 - ii) Enable incidents to be handled rationally and effectively
- Staff with authority to suspend students on these grounds are Assistant Principals, Heads of School, Senior Managers and Senior Security Staff. **All suspensions** must be notified to the Vice Principal HR & Student Services.

2. Investigation

Suspension for investigation is used to:

- Provide a safeguard where necessary
- Enable circumstances to be investigated quickly.

3. Disciplinary action

- Suspension is used as a form of disciplinary action or penalty only when incidents have been investigated and or alternative courses of action have been ineffective.
- Suspension in cases of gross misconduct will be immediate and will be carried out before an investigation has taken place.
- As in Guidelines for Dealing with Cases of Gross Misconduct/Criminal Act.

Police Involvement

Where any member of staff has reason to believe that a student may have committed a criminal offence, the College may refer the matter to the police and may continue disciplinary proceedings under this procedure or suspend the student

pending the outcome of police enquiries and any charges which may be brought against the student.

The Director of Student Services will liaise with the police to confirm whether there is any reason why the disciplinary proceedings should not continue.

Where the student has been suspended under this provision, when the results of those enquiries and any criminal proceedings are known, the College reserves the right to recommence proceedings under this procedure in relation to the matter.

It is emphasised that in relation to the application of this procedure, the College is not bound by the results of any criminal proceedings against students.

Reviewed By	Created	Last Reviewed	Next Review Date	Total Pages
Adam Thomas	2018	July 2018	July 2019	17
Adam Thomas	2018	July 2019	July 2020	17

PUBLICATION:

Staff Hub/Intranet: (Y/N)
Website: (Y/N)
Student Hub: (Y/N)

STAGE	PROCESS	SANCTIONS	MISCONDUCT LEVEL	APPEAL
Cause for Concern	Course Tutor will issue a Cause for Concern to student and log interaction on Pro Monitor.	None other than advised that if behaviour is repeated it may lead to disciplinary	Incidents of classroom management issues such as those listed below at Stage 1 plus any additional behaviour concerns witnessed throughout the College	None
Stage 1	<p>The Personal Tutor is informed, and discusses the problem with the student and the opportunities for support from Student Services and other support services within the college are outlined and the student is encouraged to use them.</p> <p>The Disciplinary Agreement Stage One is completed on Pro- Monitor and targets set</p> <p>Parents/guardian are informed for students under 18</p>	<p>Stage 1 Disciplinary Agreement is completed on Pro-Monitor and action plan issued with appropriate Agreed Actions to be completed</p> <p>Additional sanctions and reparation as appropriate (e.g. limited access to IT, apologies to any inconvenienced individuals).</p> <p>This stage can be repeated once only if appropriate but then escalation to stage 2 is required.</p>	<p>Issues such as continuous/repeated:</p> <ul style="list-style-type: none"> • use of mobile phone in class • disrespect towards staff or visitors • disruptive behaviour/unacceptable language • non-application to work in class • initial instance of bullying • unjustified absenteeism or lateness • poor attitude to completing work • regularly unprepared for lessons • minor breaches of College rules or the code of conduct – e.g. smoking, inappropriate use of IT • inappropriate parking 	None
Stage 2	<p>The Student meets with Head of School/Programme Manager</p> <p>The Disciplinary Agreement Stage Two is completed on Pro- Monitor and targets set</p> <p>Parents/guardian are informed and invited to attend for students under 18</p> <p>The student is informed that he/she can be accompanied by a representative or friend (over 18)</p>	<p>Stage 2 Disciplinary Agreement is completed on Pro-Monitor and action plan issued with appropriate Agreed Actions to be completed</p> <p>Other sanctions and reparations as appropriate</p> <p>This stage can be repeated once only if appropriate but then escalation to stage 3 is required.</p>	<p>Failure to achieve a stage 1 action plan.</p> <p>Issues such as the following should come straight to this level:</p> <ul style="list-style-type: none"> • minor damage to property • minor levels of aggression/bullying/harassment towards other students or staff • minor health and safety infringements • discriminatory behaviour/comments of any kind • abuse of any college facilities • unacceptable behaviour towards 	None

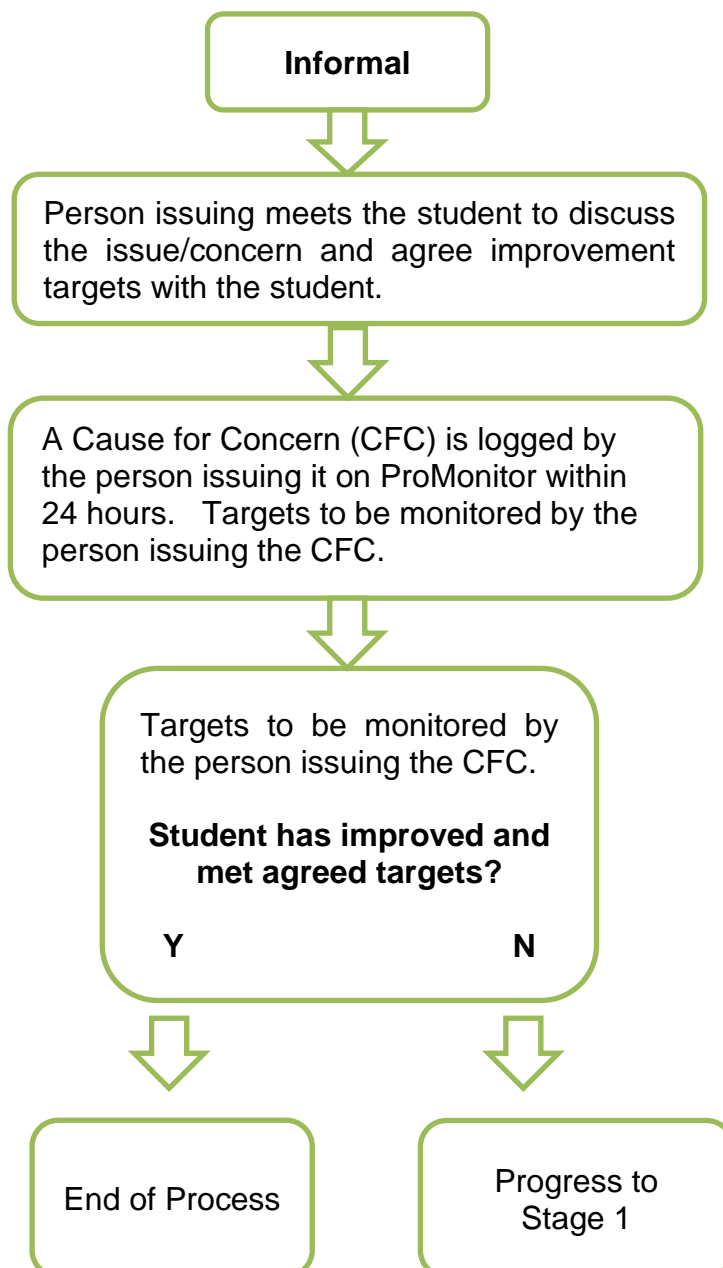
			College neighbours or their property <ul style="list-style-type: none"> • plagiarism 	
Stage 3	<p>Investigation for incidents of serious misconduct will be conducted by the Assistant Principal or the Director of Operations</p> <p>referral for failure to meet targets agreed at stage 2</p> <p>Interview with Programme Manager and Head of School accompanied by written statement/ details to date</p> <p>Parents/guardian are informed and invited to attend for students under 18</p> <p>The student is informed that he/she can be accompanied by a representative or friend (over 18)</p> <p>The Head of School may seek improvement within a contracted period of time</p> <p>If appropriate a verbal and/or written warning can be given, and the student is informed, where appropriate, that further suspension or exclusion could follow</p> <p>The Disciplinary Agreement Stage Three is completed on Pro- Monitor and targets set</p> <p>A record is placed on the college disciplinary file</p>	<p>Stage 3 Disciplinary Agreement is completed on Pro-Monitor and action plan issued with appropriate Agreed Actions to be completed</p> <p>Or</p> <p>A recommendation for permanent exclusion is made.</p> <p>Other sanctions and reparations as appropriate.</p> <p>This stage can be repeated once only if appropriate but then escalation to stage 4 is required.</p>	<p>Failure to achieve a stage 2 action plan.</p> <p>Issues such as the following should come straight to this level:</p> <ul style="list-style-type: none"> • Physical or verbal assault on another student or member of staff or visitor, or threatening behaviour. • The possession, use or dealing of any illegal substances including alcohol. (See Substance Misuse Policy) • Incapacity caused by being, or appearing to be, under the influence of alcohol, illegal drugs or solvents (see Substance Misuse Policy) • The possession of any offensive weapon(s). • Theft, fraud, deliberate falsification of records. • Deliberate damage to property owned by the College, its staff, student or visitors. • Behaviour likely to be offensive to public decency 	None

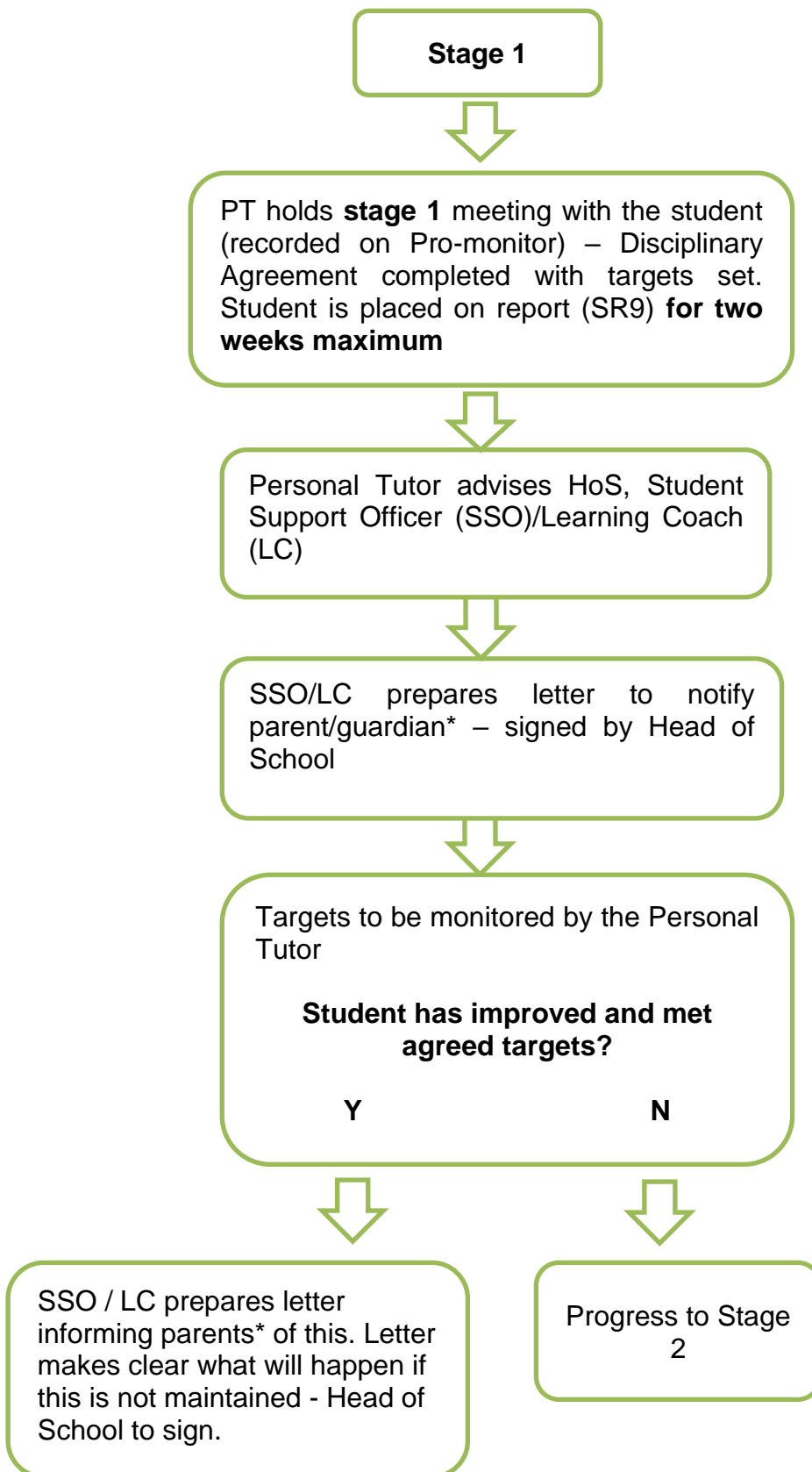
<p>Stage 4</p>	<p>Following a recommendation for exclusion, the Assistant Principal or the Director of Operations will meet with the student to consider exclusion.</p> <p>Parents/carers/employers will be informed of action and invited to any formal meetings.</p>	<p>Stage 4 Disciplinary Agreement is completed on Pro-Monitor and action plan issued with appropriate Agreed Actions to be completed or exclusion confirmed.</p>	<p>Will normally be preceded by a stage 3 hearing, however where the incident is deemed extremely serious a stage 4 hearing can be requested directly.</p>	<p>Appeal in writing to the Vice Principal HR and Student Services within 10 working days.</p>
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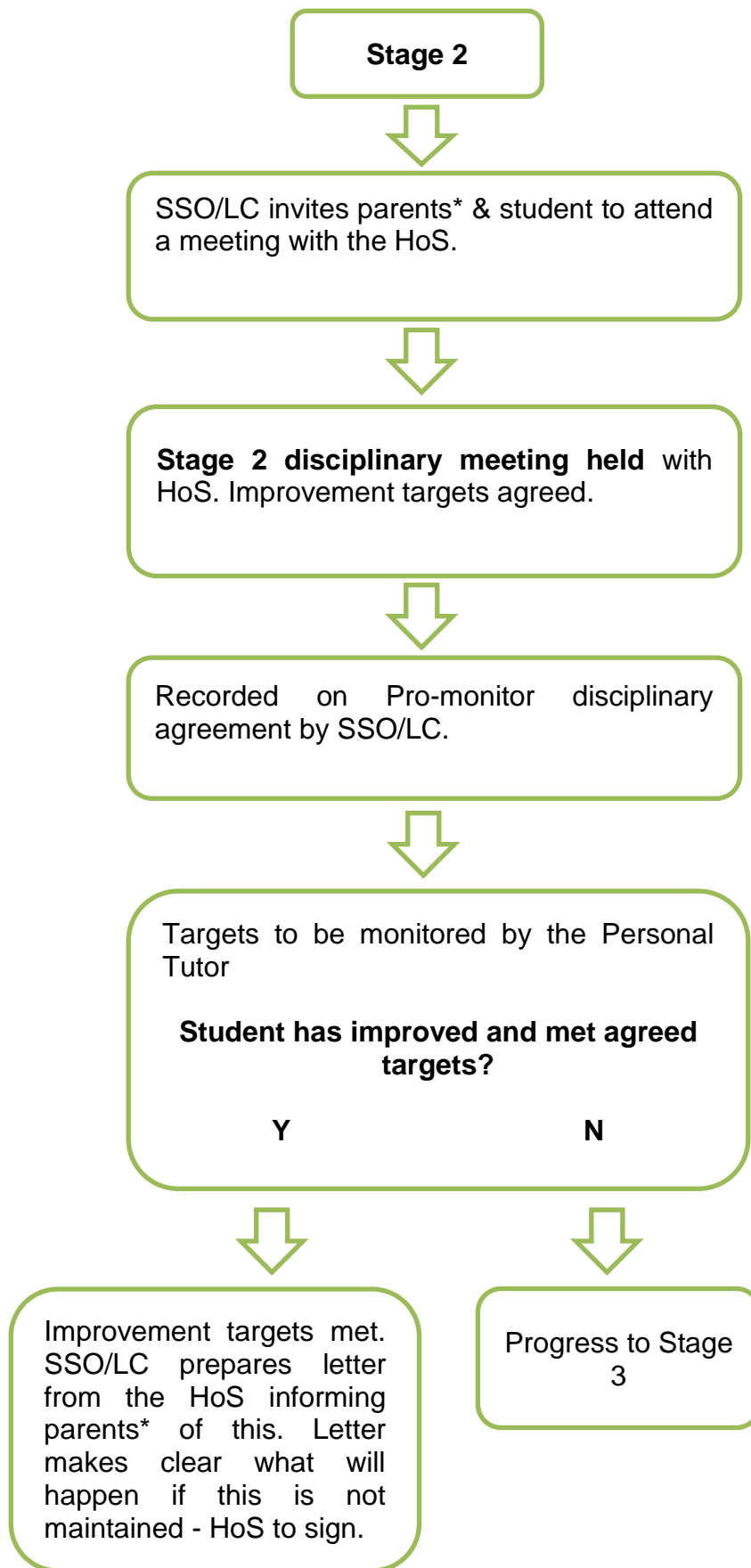
The Disciplinary Flow Charts are for guidance and should be used with the Student Disciplinary Policy

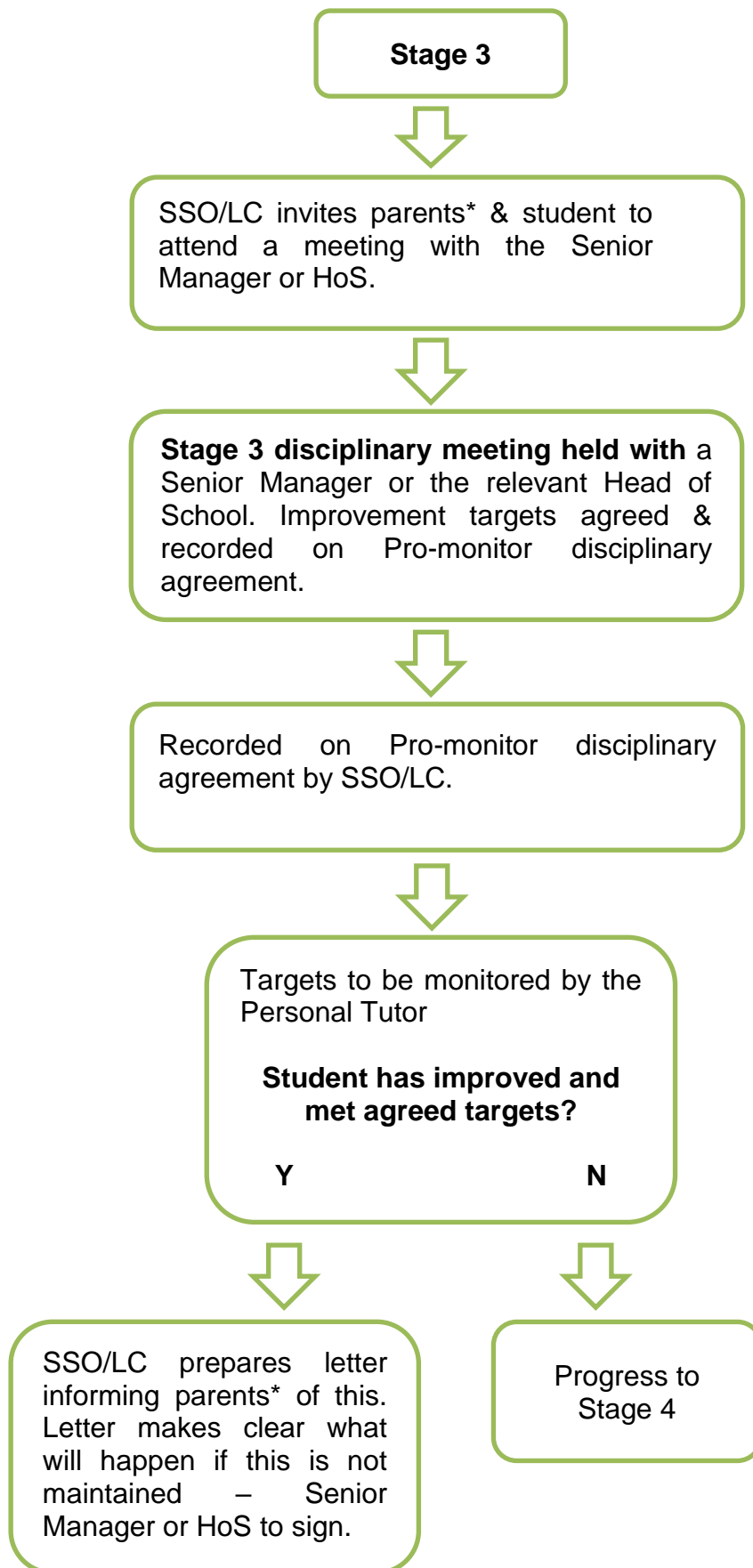
For full-time students the first 6 weeks of the course is a probationary period. During this period if a student's progress, attendance or behaviour is of serious concern, the HoS, Director of Operations and the AP reserve the right to withdraw the student. Any decision to withdraw will follow a documented meeting with the student and notification to parents.

Incidents of gross misconduct go to stage 3 to be investigated and may move on without improvement targets being agreed to stage 4. Parents/ guardian must be involved for students under the age of 18.









Stage 4



Student is withdrawn.
The student is informed verbally and in writing of the outcome, and of the appeal procedure.



SSO/LC prepares a letter to parents* & and a letter to the student – AP/Director of Operations to sign.



Exclusion letter & copy of all related paperwork to Management Admin for Vice Principal HR & Student Services

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Investigation

Suspension for investigation is used to:

- Provide a safeguard where necessary
- Enable circumstances to be investigated quickly.

Disciplinary action

Suspension is used as a form of disciplinary action or penalty only when incidents have been investigated and or alternative courses of action have been ineffective.

Suspension in cases of gross misconduct will be immediate and will be carried out before an investigation has taken place.